

**CHESTERFIELD COUNTY COUNCIL  
REGULAR MEETING  
COUNTY COUNCIL MULTI-PURPOSE BUILDING  
JUNE 4, 2008. . . . . 9:00 A.M.**

**PRESENT:** Chairman J. Matthew Rivers, Vice-Chair Lenora V. Powe, Council Members: Gerald L. Miller, G. Franklin Plyler, Bruce E. Rivers, Robert G. Cole, Crawford Moore, Anne Brumley, Kenneth A. Johnson, Robert G. Cole, Crawford Moore, Anne Brumley, Kenneth A. Johnson, and Clerk to Council Michelle Sellers. There were others attending the meeting who did not sign the sign-in sheet.

**CALL TO ORDER AND PRAYER**

Chairman J. Matthew Rivers welcomed everyone and Council Member Miller asked Administrator Thurman to open the meeting with prayer.

**ADOPTION OF AGENDA**

Chairman J. Matthew Rivers stated that if in agreement with Council Jeff McKay with NESA would be added under appointments as 6(b) and Item 14(a) – NESA Grant Awards (Cherry McCoy) be moved to 6(c).

Council Member Brumley made a motion to adopt the June 4, 2008 meeting agenda with approved changes. Council Member Powe seconded the motion. Voting in favor of the motion was unanimous.

**APPROVAL OF MINUTES**

**a. May 7, 2008 Regular Meeting Minutes**

Council Member Cole made a motion to adopt the May 7, 2008 regular meeting minutes. Council Member Powe seconded the motion. Voting in favor of the motion was unanimous.

**SIGNING OF BONDS, PAYROLL, AND AUTHORIZATIONS**

None

**APPOINTMENTS**

**a. The Honorable Faye Sellers, Clerk of Court**

The Honorable Faye Sellers appeared before Council requesting that a Sick Leave Bank be set up for her office in order for her co-workers to give Danya Roscoe their sick days in that she has been out ill for several weeks.

Council Member Johnson made a motion to approve a Sick Leave Bank for the Clerk of Court's Office. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous.

**b. Jeff McKay, Executive - NESA**

Mr. McKay appeared before Council to give a brief update on the progress of NESA for the year. Mr. McKay stated that NESA has obtained \$450,000 from the state match program and will invest the money directly back into the region through the

following programs: National Media Placement, National Marketing, Lead Generation, and Rural Leadership, Product Development, Regional Labor Profile, and Special Events.

**c. NESAGrant Awards, Cherry McCoy**

Ms. McCoy presented Council with a one-time grant opportunity offered by the Northeastern Strategic Alliance. These grants will require matching funds. Ms. McCoy recommended that she have permission to apply for a \$5,000.00 marketing grant. CCEDB would like to use this source for marketing brochures already budgeted in the Target Market Study done with Sanford Holshouser. The second grant is a \$30,000.00 product development grant. CCEDB suggest these funds be used for the design and permitting of the proposed Chesterfield County SPEC building. CCEDB could then advertise the building as designed and permitted until funding is available for construction. These plans are good for five years. A virtual building could then be done for websites thus affording the county more opportunities than merely green sites. Matching funds are available in the Spec Building Account. This is something that was being considered and is already budgeted. The economic board unanimously approved this at the last Economic Development Board meeting

Council Member Powe made a motion to allow Ms. McCoy to apply for the \$5,000.00 marketing grant. Council Member Brumley seconded the motion. Voting in favor of the motion was unanimous.

Council Member Moore made a motion to allow Ms. McCoy to apply for the \$30,000.00 product development grant. Council Member Brumley seconded the motion. Voting in favor of the motion was unanimous.

**PUBLIC COMMENTS**

**a. Larry Robinson**

Mr. Robinson appeared before council to address the Willie Johnson road. He has recently starting working on trying to get this road paved. He got all the signatures needed and recorded everything. They voted on paving the road and were told that the road was going to be paved. This process has been going on for a few years and the road is still not paved. Mr. Robinson stated that all he is asking is that he has business on this road and he would like for Council to do what they said they would and get the road paved.

**PUBLIC HEARINGS**

None

**ORDINANCE READINGS AND RESOLUTIONS**

**a. Highland Industries Fee-In-Lieu Ordinance – 2<sup>nd</sup> Reading**

Council Member Cole made a motion to approve 2<sup>nd</sup> reading. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous.

**b. Joint County Industrial Park Ordinance – 2<sup>nd</sup> Reading**

Council Member Brumley made a motion to pass 2<sup>nd</sup> reading. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous.

**c. 2007-2008 Budget Amendment for General Fund – 2<sup>nd</sup> Reading**

Council Member Powe made a motion to pass 2<sup>nd</sup> reading. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous.

**d. 2008-2009 Operations Budget for General Fund – 2<sup>nd</sup> Reading**

Council Member Moore made a motion to pass 2<sup>nd</sup> reading. Council Member Brumley seconded the motion. Voting against the motion were Council Members: Johnson, Bruce E. Rivers, and Miller. The motion passed.

**STANDING COMMITTEE REPORTS**

**a. Banking RFP Award – Committee Chair Crawford Moore**

Since the last Council Meeting, Requests for Proposals were sent out to the local financial institutions in order to solicit proposals regarding banking services for the General Fund and other accounts of chesterfield. Proposals were received from Carolina bank and First Citizens Bank and a review was scheduled with the Treasurer on Friday, May 23, 2008. Ms. Sheeler made her decision and informed the Finance Committee Chair on Tuesday, May 27, 2008. Council Member Moore informed Council that it was the recommendation of the Treasurer to go with Carolina Bank in that there was no charge to handle the account through them but First Citizens would charge \$12,000.00.

Council Member Moore made a motion to award the bid to Carolina Bank. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous.

**b. Cane Mill Crossing Paving – Committee Chair Lenora Powe**

**Vice Chair (Lenora Powe):** Mr. Chair I would prefer to address (c) first because it kind of follows.

**Chair: (Matt Rivers):** In that you have both 10(b) and 10(c) I don't see a problem with you changing the order of them.

**Vice Chair (Lenora Powe):** I have both of them. In April we discussed roads being paved through the CTC. Subsequent to us adopting the roads we also accepted roads from the state 7.52 miles from the state highway system. They requested that we accept them into our county and we did based on the assumption at the time that the state had five roads in the state system that they were going to pave and then we were going to accept them in the county system. The state backed out or did not follow through with getting those five roads paved and the five roads in the state system that was supposed to be paved by the state and Willie Johnson was one of those roads. That there is a major problem because as you very well know the county has very limited funds as far as roads being paved and these were state roads that were suppose to be done by the state and not the county. These were not county roads these were state roads and therefore the recommendation from the CTC they recommend that we return these roads back to the state until they get paved which will save us maybe a million or a million and a half

dollars if we do it that way. We accepted some of these roads from the state and until they do what they need to do it is the recommendation that we return those roads back to the state.

**Council Chair (Matt Rivers):** Is there any questions for Ms. Powe on that matter? Mr. Johnson?

**Council Member (Al Johnson):** What are the five roads which roads are you talking about returning to the state?

**Council Vice-Chair (Lenora Powe):** The ones that were promised to be paved.

**Council Member (Al Johnson):** What are the names of them Lenora?

**Council Vice-Chair (Lenora Powe):** Willie Johnson, Tadlock, Sally Blackwell

**Council Member (Al Johnson):** That's not correct, no.

**Council Member (Gerald Miller):** That's not the roads.

**Council Vice-Chair (Lenora Powe):** That's not the roads? The five roads were also they were in the state system.

**Council Chair (Matt Rivers):** They were already budgeted.

**Council Vice-Chair (Lenora Powe):** They were scheduled to be paved by the state. No the roads that we accepted from the state are different than the ones that the state had already promised to pave.

**Council Chair (Matt Rivers):** Mr. Johnson do you have any further questions?

**Council Member (Al Johnson):** My understanding the roads that we are accepting from the state were state roads and were state maintained.

**Council Vice-Chair (Lenora Powe):** Correct

**Council Member (Al Johnson):** They are not; Willie Johnson was never a state road. That was a road they promised to pave if we took on the other roads. Will you name them Ronald?

**County Administrator (Ronald Thurman):** The roads are on page 60. These are dirt roads that the county accepted from the state in lieu of them paving the five on the bottom. The roads accepted from the state were Drew Baker Road, Lake Terry Road, County Line Road, Tell Davidson Road, and Teals Cemetery Road 7.52 miles. The state promised that they would pave Willie Johnson, Tadlock Road, Sally Blackwell Road, Arkorful Road, and Fork Creek Estate Road.

**Council Vice-Chair (Lenora Powe):** They have not done it.

**Council Chair (Matt Rivers):** I don't mean to interrupt but I'm confused. Aren't you all saying the same thing?

**Council Member (Al Johnson):** Her recommendation was to turn

**Council Chair (Matt Rivers):** If you don't mind, can I finish? What I was saying was and correct me if I'm wrong. There were and I'm just going to look at the list and it starts with Drew Baker and goes down to Teals Cemetery Road were roads that the county accepted from the state. Now let me get to my first point, am I wrong there?"

**Council Member (Al Johnson):** Correct

**Council Chair (Matt Rivers):** Drew Baker, Lake Terry, County Line, Tell Davidson, and Teals Cemetery were roads we accepted from the state?

**Council Member (Al Johnson):** Which they were state roads at that time.

**Council Chair (Matt Rivers):** O.K. I'm assuming that they were if they gave them to us. Which that was our part of the bargain? Their part of the bargain was to in return pave and adopted into the State system Willie Johnson, Tadlock, Sally Blackwell, Arkorful, and Fork Creek Estate Road.

**Council Vice-Chair (Lenora Powe):** That part is correct.

**Council Member (Al Johnson):** That's all I'm saying if you could turn any roads back to the state you got to turn back what they gave you.

**Council Chair (Matt Rivers):** Well I think you can give them two options. One option being let's go back to where we were. Which would be to return those five roads that we took from them or finish your agreement; which would be to pave the Willie Johnson, et al? I don't see or in other words they don't have a choice. I mean do what you said you were going to do or let's go back to where we were and you guys (being the State) can take back the Drew Baker Road, et. al. Hearing that is there anything further for Ms. Powe? What's your action to be taken on that matter?

**Council Vice-Chair (Lenora Powe):** The action to be taken is to refer those roads to DOT through the transportation committee as they requested. That was the transportation committee's request that we turn those roads back over that we accepted based on the fact that they didn't do what were going to do and that is the recommendation.

**Council Chair (Matt Rivers):** Any questions?

**Council Member (Al Johnson):** I've just got one question. I've got no problem but what I'm getting to who could we talk to from the state? I mean who made this agreement? Ronald do you know? Did it come from some head department or who?

**Administrator (J. Ronald Thurman):** It came to us from the Chesterfield County Transportation Committee. They said that if the state is not going to uphold their end of the deal the give them through the Chesterfield County Transportation Committee give them back these roads that the county in good faith accepted from them in lieu of them paving these roads. Since they have no attention of paving and everything was done on these roads (Willie Johnson; et. al) engineering was done, right a ways established and right-a ways were bought everything was done except putting down asphalt and then the state backed out. So know we end up with an additional 7.52 miles of additional dirt roads in Chesterfield County plus we still have Willie Johnson through Fork Creek in the system that we still have to maintain. We adopted almost eight miles of roads for nothing and

**Council Member (Al Johnson):** Now when you say that the state promised to do this; was that through the CCTC funds or were they going to send other monies to do this?

**Administrator (J. Ronald Thurman):** I believe it was coordinated through the CCTC

**Council Member (Al Johnson):** The state would have made those funds available to us but never did. My next point is; ok we can do that or let Sammie have them or we going to quit scraping the roads if the state doesn't maintain them and we don't maintain them what are the people going to do that live on those roads? Do you understand what I'm saying Ronald?

**Administrator (J. Ronald Thurman):** Absolutely

**Council Member (J. Ronald Thurman):** I'm just saying are there any other avenues to negotiate to go back to who ever made this agreement and say look this is or write them a letter and say we aren't going to touch the roads and you all know somebody will have to scrap the road.

**Administrator (J. Ronald Thurman):** See that was back in 2005 and so they have already been in the county system for almost three years.

**Council Member (Al Johnson):** O.k. if they get stopped scrapping; who they going to holler at? All of us and that's the only point I'm trying to make. Lenora; do you see what I'm saying?

**Council Chair (J. Matthew Rivers):** I don't see why you can't write a letter to that affect. All you got to do is a write a letter and say here's the agreement; you didn't honor the agreement due the same we will now consider that the roads that we previously had are now ours and the ones you previously had our now yours and if at any point you (State) feel that you can comply with the agreement please let us know. I mean all you

got to do is write a good letter and I'm not going to write your letter. I think that's the only way you can address it. I think negotiation between the Transportation Committee and the State has broken down.

**Council Member (Al Johnson):** I got no problem with that; I mean I think that's good if Sammie can handle that but that was just my point somebody has got to maintain the road.

**Council Chair (J. Matthew Rivers):** Well, like I said if the letter is covered in there where we stand; let's turn back the clock and start back over and here is where the clock starts they have these roads and we have these roads and they will be in charge of maintaining the same since the agreement was broken.

**Council Member (Lenora Powe):** Does everybody have a clear understanding?

**Council Member (Gerald Miller):** I have a question. On the Willie Johnson road did we as Council said we were going to do a pilot road and we all agreed that the road committee came back before council and said to council we were going to do Willie Johnson Road as a pilot project because it was only 2/10 mile and it has ten home owners live on that road. Mr. Tim Eubanks went out and looked at the road and said he could do if that was the road we choose as a pilot road and then it was put in the paper that was the road we were going to now. I'm looking at the agenda we were going to change that road to Cane's Mill Cross Road.

**Council Chair (J. Matthew Rivers):** That's kind of the second matter. Let's finish the first matter and then we can go to that. Do we need a motion to send a letter or what do we need to do?

**Council Member (Lenora Powe):** To answer Mr. Miller's question. I was just going to answer Mr. Miller's question. As you recall, I offered a motion and it wasn't seconded at the meeting and therefore the motion died. That meeting was in April

**Council Member (Gerald Miller):** I don't see it in the minutes where you offered a motion.

**Council Member (Lenora Powe):** No, No, this was April's meeting.

**Council Member (Gerald Miller):** That's what I'm talking about April.

**Council Member (Lenora Powe):** I made the motion that we accept the and I don't know why it's not in there. I don't have my April's minutes but I made a motion that we accept the recommendation and nobody seconded so it died for lack of second.

**Council Member (Gerald Miller):** Does any other council member remember that?

**Council Chair (J. Matthew Rivers):** Yes sir.

**Council Member (Al Johnson):** Well as I remember and I think you should get those minutes and let's read the motion that was along with a road fee increase to buy equipment to do with the road. Now am I correct?

**Council Member (Lenora Powe):** That was.

**Council Member (Al Johnson):** All that was tied together spending another \$200,000.00 to buy equipment and increase road fee. So get the motion and let's read it so everybody will be clear.

**Council Chair (J. Matthew Rivers):** We don't need the minutes. I mean she made a motion that failed. But I still say we're on the first issue that you had Ms. Powe was the letter to the DOT and we need to get that.

**Council Member (Al Johnson):** I agree with you. We need to finish that one first.

**Council Member (Lenora Powe):** I make a motion that Mr. Thurman write a letter to the CCTC to the state for them to take their roads back since they have not done their part of the bargain or honor same.

**Council Chair (J. Matthew Rivers):** Is there a second.

**Council Member (Crawford Moore):** Council Member Moore seconded the motion.

**Council Chair (J. Matthew Rivers):** Is there any discussion on that motion?

**Council Member (Al Johnson):** Just to be clear. You're going to write a letter to our committee and have them handle this. That's what your motion says.

**Council Chair (J. Matthew Rivers):** No, I think the motion was to write a letter to the DOT and a courtesy copy to the Transportation committee. Anything further.

Council Member Powe made a motion to write a letter to the DOT and a courtesy copy sent to the transportation committee. Council Member Moore seconded the motion. Voting in favor of the motion was unanimous.

**Council Chair (J. Matthew Rivers):** Now the secondary issue you were talking about involved Cane Mills Crossing. Is there an action to be taken in that?

**Council Member (Lenora Powe):** Mr. Miller seems to have a question.

**Council Member (Miller):** Read this.

**Council Chair (J. Matthew Rivers):** O.k. what is this I mean what do you want me to read?



**Council Member (Gerald Miller):** This is the March minutes. Well she didn't make a motion it failed and the council members agreed on that

**Council Chair (J. Matthew Rivers):** Are you suggesting that she didn't make a motion. Because I thought we all agreed that she did make a motion. I mean I know she made a motion.

**Council Member (Lenora Powe):** And I know it failed for lack of a second.

**Council Chair (J. Matthew Rivers):** I mean are you trying to say the minutes suggest there was no motion because if that's true then the minutes are in error

**Council Member (Gerald Miller):** Right the minutes are in error if it was. Because what I was saying was that because all the council member

**Council Chair (J. Matthew Rivers):** I don't think we need the minutes to whether a motion was made and failed. Does anybody on Council suggest?

**Council Member (Anne Brumley):** Who is on the road committee? Should they not handle this situation and bring it back before Council.

**Council Chair (J. Matthew Rivers):** That's what we're doing Mrs. Brumley but we're on a side issue to see if a motion was made or not and I know for sure. Hold up I don't think we need to go dig up the minutes to see if a motion failed or not. I mean we all acknowledge do we not that a motion was made on an issue with the road and or funding for same this year.

**Council Member (Al Johnson):** I acknowledge it but if that motion is going to be used as an excuse to pull Willie Johnson and put this other road in then you should read the full motion.

**Council Chair (J. Matthew Rivers):** I think Ms. Powe can state what her motion was. What your motion?

**Council Member (Lenora Powe):** My motion was that we accept the recommendation for that Willie Johnson and for the money of the road fee increase and the motion failed for lack of second.

**Council Chair (J. Matthew Rivers):** Is that clear?

**Council Member (Al Johnson):** No, please I would ask to get the motion and read it.

**Council Vice-Chair (Lenora Powe):** She just

**Council Chair (J. Matthew Rivers):** Well, let me just say this she just said she made a motion that was a joint motion with a road fee increase and also Willie Johnson road, it that not you're very point?

**Council Member (Al Johnson):** I would still like to read it, sir. Is that a problem Chairman?

**Council Chair (J. Matthew Rivers):** I just think it's wasting a lot of time.

**Council Vice-Chair (Lenora Powe):** I just asked Michelle to go get the minutes.

**Council Chair (J. Matthew Rivers):** Let's take a break so you all can read the minutes for something we already know.

**Council Chair (J. Matthew Rivers):** Mr. Thurman has done some investigation apparently and hopefully can answer any questions about what was in the meeting's minutes appears to be April 2, 2008 meeting.

**Administrator (J. Ronald Thurman):** The agenda had on that meeting was that under item 16(b) there is actually nothing listed under the agenda item of the discussion of Willie Johnson road only the road fee increase 1<sup>st</sup> reading. As you recall some discussion was held and we can look at the tape for exactly what discussion was held regarding that. Under the agenda item 16(b) which states road increase fee 1<sup>st</sup> reading a motion was made as reflected in the minutes to pass 1<sup>st</sup> reading for a road fee increase. Now whether or not Willie Johnson was reflected in that we would have to go to the tape. I don't have a record of it here and the minutes don't reflect it but discussion on the tape may reflect it. The road fee increase is what I have as reflected in the minutes the motion was made by Ms. Powe and it did fail for lack of second. Now I will read the short statement in the minutes. Council Member Powe made a motion to approve first reading for a road fee increase. No second to the motion was made; therefore the motion failed.

**Council Chair (J. Matthew Rivers):** Are there any questions on that issue? Are we not clear now on what may or may not have occurred and can we go on to something else now? Ms. Powe is there anything further from you?

**Council Vice-Chair (Lenora Powe):** Yes.

**Council Member (Gerald Miller):** She doing for the pilot. We have Cane Mill Cross road is a mile and 2/10. Willie Johnson road is just 2/10 of mile. As high as fuel cost and everything we as county going to try to pilot a road that a mile and 2/10 when we can't do one that is just 2/10 mile:

**Council Vice-Chair (Lenora Powe):** That was the recommendation of the CCTC.

**Council Member (Gerald Miller):** This Cane Creek Crossroad whose district is that road in?

**Council Chair (J. Matthew Rivers):** It's a line between District 6 and 7. I represent district 7 and she represents district 6.

**Council Member (Al Johnson):** I think Anne mentioned something about the road committee a while ago and we meet occasionally whenever Lenora tells us to meet. When we meet last time Sammie Copeland meet with us and we discussed the pilot program and he gave us the recommendation of the Willie Johnson road to do for the first pilot road. Now that was the last time that we meet and now all of a sudden I see this Cane Mills Crossing, I'm not against Cane Mill Crossing but the road that came to the paving committee was Willie Johnson and all of a sudden this got change; road committee hasn't meet since and I would just like to know how this come about.

**Council Vice-Chair (Lenora Powe) Member:** That was the recommendation of the CCTC. That's the way it is now and that's all I can tell you Mr. Johnson.

**Council Member (Al Johnson):** I don't think I heard the answer but anyhow that is not fair to the people on Willie Johnson road.

Council Vice-Chair made a motion to that we approve the Cane Mill crossing for the pilot paving program. Council Member Council Member Cole seconded the motion. Voting for the motion were Council Members Moore, Cole, and Powe. Voting against the motion were Council Members Johnson, Miller, Bruce E. Rivers and Plyler. Council Member Brumley abstained from voting. The motion failed.

Council Member Miller made a motion to go back to the original pilot road (Willie Johnson). Council Member Johnson seconded the motion. After discussion Council Member Miller withdrew his motion.

**c. Building Committee Report – Chair Frank Plyler**

Since the last meeting, Building Committee Chair Frank Plyler has been working on the Welcome to Chesterfield County signs cost and placement. Council Member Plyler made a motion to install signs in Pageland. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous.

**ITEMS SUBMITTED BY COUNCIL**

None

**ITEMS SUBMITTED BY STAFF**

**a. Pee Dee Workforce Investment Board Appointment**

In the April meeting, Council was informed of the request by Ms. Tyner regarding the re-appointment of Mr. Andy Ingram and Ms. Sherby Blakeney to the Pee Dee Workforce Investment Board. Since the re-appointments were not made, it is recommended per Board policy that nominations consisting of 2(twp) individuals from each of the Chambers of Commerce in the County be submitted to Council for consideration before

the July meeting. Council will then chose 2(two) individuals from this group of 6 (six) to fill the expired terms.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None

**ANNOUNCEMENTS**

**Lenora V. Powe**

Mr. Bartley was present at the meeting.

**Franklin Plyler**

Alternative fuel using sunflower oil and will have more information for council on this later.

**Crawford Moore**

Finance committee meeting on fuel cost last week and discussed some ideas.

**Robert G. Cole**

None

**Bruce E. Rivers**

Appointed Larry Robinson to the CCTC Board.

**Kenneth Al Johnson**

Get with department heads about fuel costs and ideas on saving. Also inmates cleaning land in Cheraw.

**Anne Brumley**

None

**Chairman J. Matthew Rivers**

None

**Gerald Miller**

None

**EXECUTIVE SESSION**

Council did not enter Executive Session.

**ADJOURN**

Council Member Bruce E. Rivers made a motion to adjourn. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
J. MATTHEW RIVERS, CHAIRMAN

\_\_\_\_\_  
MICHELLE SELLERS  
CLERK TO COUNCIL

DATE: \_\_\_\_\_